

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:18-cv-00162-MR**

MARCUS A. THORPE,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
ANITA J. GOWANS, et al.,)	
)	
Defendants)	
_____)	

THIS MATTER is before the Court on Attorney Allen Tarleton's acceptance of representation of Plaintiff for trial.

Pro se Plaintiff Marcus Thorpe ("Plaintiff") filed this action pursuant to 42 U.S.C. § 1983 on October 1, 2018. Plaintiff is a prisoner of the State of North Carolina currently incarcerated at Marion Correctional Institution ("Marion") in Marion, North Carolina. The trial in this matter was set to begin on September 7, 2022, but it was continued indefinitely due to reasons unrelated to this case. The trial in this matter will likely be reset for March 2023.

On October 12, 2022, after efforts by the Court, Attorney Allen Tarleton notified the Court of his acceptance of representation of the Plaintiff for the purpose of trial only. On November 1, 2022, Attorney Tarleton sent Plaintiff

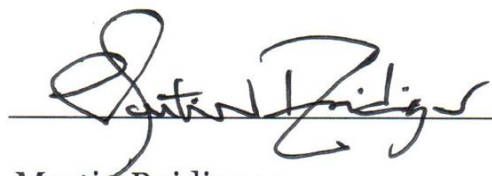
a letter at Marion requesting Plaintiff's acceptance of Tarleton's representation. On November 4, 2022, an official from Marion called Attorney Tarleton to advise him that the letter was received. Attorney Tarleton, however, has not heard from the Plaintiff. On November 28, 2022, Attorney Tarleton sent a letter to Charles Bumgarner, Programs Director at Marion, requesting a phone call or meeting with Plaintiff to verify that Plaintiff accepts representation. Before Attorney Tarleton may proceed with representation of the Plaintiff, the Plaintiff must advise the Court whether he accepts such representation. The Court, therefore, will order Plaintiff to accept representation by Attorney Tarleton within 14 days of this Order.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff shall file an acceptance of Attorney Tarleton's representation for the purpose of trial only with the Court within fourteen (14) days of this Order. If Plaintiff fails to timely accept Attorney Tarleton's representation, Plaintiff will proceed to trial in this matter *pro se*.

IT IS SO ORDERED.

Signed: January 3, 2023



Martin Reidinger
Chief United States District Judge

